

FILED  
Clerk  
District Court

DEC 21 2005

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

(LDA)

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Attorney for defendant  
Eric John Tudela Mafnas

DISTRICT COURT FOR THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ERIC JOHN TUDELA MAFNAS, et  
al.,

Defendants.

Case No. CR 04-00038

MOTION BY DEFENDANT  
ERIC JOHN TUDELA MAFNAS  
TO DISMISS THE INDICTMENT

Hearing: JAN 19 2005 *6 AM*

Time: 9:00 AM

Defendant Eric John Tudela Mafnas respectfully moves that the indictment be dismissed on the ground that Mafnas is being punished for the offenses charged therein, and for that reason a punishment of Mafnas other than and in addition to the punishment which


COPY

(MOTION BY DEFENDANT ERIC JOHN TUDELA MAFNAS TO DISMISS  
THE INDICTMENT)  
Case No. CR 04-00038

he is already receiving is barred, as it would be violative of the double jeopardy guarantee  
of the Fifth Amendment to the Constitution of the United States.

Dated at Hagåtña, Guam.

December 20, 2005.

  
\_\_\_\_\_  
HOWARD TRAPP  
For HOWARD TRAPP INCORPORATED  
Attorney for defendant  
Eric John Tudela Mafnas

(MOTIONS/MtoDismiss2.E.Mafnas)

### DECLARATION OF SERVICE

I, Charlene C. Cruz, declare that I am the administrative assistant employed in the office of Howard Trapp Incorporated, Howard Trapp, Esq., the attorney for defendant Eric John Tudela Masinas herein, and that I served the document to which this declaration is annexed on the following:

Jamie D. Bowers, Esq., Assistant United States Attorney, by transmitting a facsimile thereof to him at (670) 236-2985 and by mailing a copy thereof to him at P.O. Box 500377, Saipan, MP 96950, his last known facsimile telephone number and mailing address, respectively, all on December 20, 2005; and

Perry B. Inos, Esq., the attorney for defendant Charley K. Patris, by transmitting a facsimile thereof to him at (670) 235-9007 and by mailing a copy thereof to him at P.O. Box 502017, Saipan, MP 96950, his last known facsimile telephone number and mailing address, respectively, all on December 20, 2005.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 20, 2005, at Hagåtña, Guam.

  
CHARLENE C. CRUZ